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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,152	12/10/2003	Ross Stenfort	ADAPP264	7371

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EXAMINER

CHASE, SHELLY A

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/733,152	Applicant(s) STENFORT, ROSS	
	Examiner Shelly A. Chase	Art Unit 2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-22 is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-16 and 23 is/are rejected.
- 7) ☒ Claim(s) 13, 24 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SHELLY CHASE
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 to 25 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 to 12, 14 to 16 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamasaki et al. (USP 6856623 B2).

Claim 1:

Hamasaki teaches a communication system and method for use in an ATM-PON (Asynchronous transfer mode based passive optical network) comprising: a single unit of station side unit (OLT: Optical Line Termination) (2) and a plurality of subscriber-side units (ONU: Optical network units) communicating in an upstream or downstream manner wherein the OLT and some of the ONU are manufactured by a common vendor (see col. 12, lines 25 to 50). Hamasaki teaches that the OLT includes a vendor specific message (VSM) processing unit (24), which includes a CRC calculating unit (24-10) and

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the ONU 4-I units includes a vendor specific message processing unit (44) which includes a CRC calculating unit (44-9) (see col. 36, lines 1 et seq.).

Hamasaki also teaches that the ONU 4-I receives a VSM message and checks it against the calculated CRC for errors (see col. 36 line 63 to col. 37 line 54). Hamasaki further teaches that the OLT and ONU are communicated through downstream messages or upstream messages wherein the messages are vendor-specific (see col. 13, lines 59 et seq.).

As per claim 2, Hamasaki teaches that the vendor-specific CRC data is generated by a vendor-specific message-processing unit that includes a CRC generating unit (see col. 36, lines 1 to 8).

As per claim 3, Hamasaki teaches that the vendor-specific processing unit uses a vendor specific message ("seed value") (see col. 5, lines 28 to 45) and a CRC generating unit (see col. 36, lines 1 to 6).

As per claim 4, Hamasaki teaches that the CRC calculation uses a CRC generator polynomial for computing the CRC data (see col. 57, lines 29 et seq.).

As per claims 5 and 6, Hamasaki teaches that the communication method uses the physical layer operation administration and maintenance (PLOAM) cells to communicate between the OLT and the ONUs (see col.1, lines 57 to 63 and col. 13, lines 10 to 15) as well as operates according to the G.893 standards (see col. 12, lines 40 to 50).

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As per claim 7, Hamasaki teaches that the CRC generation unit in the ONU 4-I unit checks the received data for errors using the generated CRC's (see col. 37 lines 8 et seq.).

As per claim 8, Hamasaki teaches that the communication method operates according to vendor group (VG) control message ("vendor specific protocol") (see col. 14, lines 1 et seq.).

As per claim 9, Hamasaki teaches that the communication method includes multiple ONU units communicating with an OLT unit with upstream and downstream modes (see fig. 1), which reads on "wherein the first device is an first initiator device and the second device is one of a second initiator device and a target device."

Claim 10:

Hamasaki teaches a communication system and method for use in an ATM-PON (Asynchronous transfer mode based passive optical network) comprising: a single unit of station side unit (OLT: Optical Line Termination) (2) and a plurality of subscriber-side units (ONU: Optical network units) communicating in an upstream or downstream manner wherein the OLT and some of the ONU are manufactured by a common vendor (see col. 12, lines 25 to 50). Hamasaki teaches that the OLT includes a vendor specific message (VSM) processing unit (24), which includes a CRC calculating unit (24-10) and the ONU 4-I units includes a vendor specific message processing unit (44) which includes a CRC calculating unit (44-9) (see col. 36, lines 1 et seq.).

Hamasaki also teaches that the ONU 4-I receives a VSM message and checks it against the calculated CRC for errors (see col. 36 line 63 to col. 37 line 54). Hamasaki further teaches that the OLT and ONU are communicated through downstream messages or upstream messages through vendor-specific messages and vendor group control ("vendor specific protocol") (see col. 36, lines 26 et seq.).

As per claim 11, Hamasaki teaches that the vendor-specific CRC data is generated by a vendor-specific message-processing unit that includes a CRC generating unit (see col. 36, lines 1 to 8).

As per claim 12, Hamasaki teaches that the vendor-specific CRC data is checked for errors and if the check does not yield the desired value the vendor-specific message is discarded (see col. 37, lines 20 to 40). Hamasaki also teaches that the method operates according to the G.893 standards (see col. 12, lines 40 to 50).

As per claims 14 and 15, Hamasaki teaches that the communication method includes a vendor-specific processing unit that uses a vendor specific message ("seed value") (see col. 5, lines 28 to 45) and a CRC generating unit (see col. 36, lines 1 to 6). Hamasaki also teaches that a CRC generator polynomial is used for computing the CRC data (see col. 57, lines 29 et seq.) and the method operates according to the G.893 standards (see col. 12, lines 40 to 50).

As per claim 16, Hamasaki teaches that the vendor-specific message includes a vendor specific ID (see col. 37, lines 63 et seq.).

Claim 23:

Claim **23** is similar to claim 10 except for the recited first, second and third circuitry and is rejected under the same rational applied to claim 10.

Allowable Subject Matter

4. Claims 13 and 24 to 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 17 to 22 are allowed.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelly A. Chase whose telephone number is 571-272-3816. The examiner can normally be reached on Mon-Thur from 8:00 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



SHELLY CHASE
PRIMARY EXAMINER